

Amendment No. 3 to SB1388

**Johnson
Signature of Sponsor**

AMEND Senate Bill No. 1388*

House Bill No. 1815

by deleting the third sentence in subdivision (b) from Section 4-5-208 of SECTION 11 of the bill as amended and by substituting instead the following:

An agency shall not adopt the same or a substantially similar emergency rule within one (1) calendar year from its first adoption, unless the agency clearly establishes that it could not reasonably be foreseen during the initial one hundred eighty-day period that such emergency would continue or would likely recur during the next nine (9) months.

AND FURTHER AMEND by deleting SECTION 14 of the bill as amended and by substituting instead the following:

SECTION 14. Prior to the effective date of a rule, the agency proposing the rule may stay the running of the ninety-day period required by § 4-5-207 for a period of time not to exceed seventy-five (75) days. Such stay shall become effective at such time as the agency files written notice with the secretary of state and shall specify the length of the effectiveness of the stay. Prior to the expiration date of the stay, such stay may be withdrawn by the agency. Withdrawal or expiration of the stay shall reactivate the running of the balance of the ninety-day period that remained upon the date the stay was filed.